

**U.S. District Court
Northern District of Ohio (Akron)
CIVIL DOCKET FOR CASE #: 5:20-cv-00041-KBB**

VSAT Systems, LLC, et al v. Intelsat US
Assigned to: Magistrate Judge Kathleen B. Burke
Demand: \$75,000
Case in other court: Summit County, Court of Common Pleas,
CV-19-00012-4829
Cause: 28:1332 Diversity-Contract Dispute

Date Filed: 01/08/2020
Date Terminated: 01/28/2020
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

VSAT Systems, LLC

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Plaintiff

Skycasters, LLC

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Matthew R. Duncan
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V.

Defendant

Intelsat US LLC
by assignment from
other
Intelsat USA Sales, LLC

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Date Filed	#	Docket Text
01/08/2020	<u>I 1</u>	Notice of Removal from Summit County, case number CV-2019-12-4829 with jury demand, Filing fee paid \$ 400, receipt number 0647-9711750.. Filed by Intelsat US. (Attachments: # <u>1</u> Exhibit Complaint, # <u>2</u> Exhibit Motion For Temporary Restraining Order, # <u>3</u> Exhibit Motion For Preliminary Injunction, # <u>4</u> Exhibit Affidavit of Tina Carl, # <u>5</u> Exhibit Instruction to Clerk for Service, # <u>6</u> Exhibit Order Granting Temporary Restraining Order, # <u>7</u> Exhibit Summons, # <u>8</u> Exhibit Order Assigning Case to Magistrate, # <u>9</u> Exhibit Magistrate's Order, # <u>10</u> Exhibit Notice o Appearance, # <u>11</u> Exhibit Certified Mail Service, # <u>12</u> Exhibit Docket Sheet, # <u>13</u> Exhibit Notice of Service of Process, # <u>14</u> Exhibit Statement of Account, # <u>15</u> Civil Cover Sheet) (Farrell, Jeremy) (Entered: 01/08/2020)
01/09/2020	<u>I</u>	Judge Sara Lioi assigned to case. (M,TL) (Entered: 01/09/2020)
01/09/2020	<u>I</u>	Random Assignment of Magistrate Judge pursuant to Local Rule 3.1. In the event of a referral, case will be assigned to Magistrate Judge Kathleen B. Burke. (M,TL) (Entered: 01/09/2020)
01/09/2020	<u>I 2</u>	Magistrate Consent Form issued. (M,TL) (Entered: 01/09/2020)
01/09/2020	<u>I 3</u>	Initial Standing Order. Judge Sara Lioi on 01/09/2020. (Attachments: # <u>1</u> Exhibit A – Witness List, # <u>2</u> Exhibit B – Exhibit List) (M,TL) (Entered: 01/09/2020)
01/10/2020	<u>I 4</u>	Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(A) filed by Defendant Intelsat US LLC. Related document(s) <u>1</u> . (Attachments: # <u>1</u> Proposed Order)(Farrell, Jeremy) (Entered: 01/10/2020)
01/10/2020	<u>I 5</u>	Memorandum in Support of Motion to Transfer Venue filed by Intelsat US LLC. Related document(s) <u>4</u> . (Attachments: # <u>1</u> Exhibit A. Service Agreement, # <u>2</u> Exhibit B. Service Order) (Farrell, Jeremy) (Entered: 01/10/2020)
01/10/2020	<u>I</u>	IMPORTANT: Prepare now and avoid delays logging in later. The U.S. District Court for the Northern District of Ohio [OHND] will be upgrading CM/ECF to the Next Generation of CM/ECF [NextGen] on February 10, 2020 . Information regarding NextGen can be found <u>on the court's website</u> . Preparing for NextGen CM/ECF is a multi-step process. Step one is to obtain or upgrade your PACER account. Currently, attorneys within a firm may share a PACER account. This will not be allowed with NextGen. Each attorney must have their own upgraded PACER account. If you are using a shared PACER account, register for a new PACER account by clicking <u>here</u> . If you have an upgraded PACER account for another NextGen court or your PACER account was created after August 10, 2014, no further action is required at this time. If neither applies, you must upgrade your legacy PACER account. If this is not done, you will be unable to e-file after February 10, 2020. Instructions for linking your PACER account to your CM/ECF account will be sent in February. If you still have questions, please contact the PACER Service Center at 800-676-6854 or the Clerk's Office Help Desk at 1-800-355-8498. (SL) (ADI) (Entered: 01/10/2020)
01/13/2020	<u>I 6</u>	Motion Declare Temporary Restraining Order Dissolved or, Alternatively, to Dissolve Temporary Restraining Order filed by Defendant Intelsat US LLC. (Attachments: # <u>1</u> Proposed Order)(Farrell, Jeremy) (Entered: 01/13/2020)

01/13/2020	<u>7</u>	Brief in Support of Motion to Declare Temporary Restraining Order Dissolved, or, Alternatively, to Dissolve Temporary Restraining Order filed by Intelsat US LLC. Related document(s) <u>6</u> . (Attachments: # <u>1</u> Exhibit 1 – Service Agreement, # <u>2</u> Exhibit 2 – Service Order, # <u>3</u> Exhibit 3 – Declaration of Sandy Gratia, # <u>4</u> Exhibit 4 – Declaration of Adriano Ros) (Farrell, Jeremy) (Entered: 01/13/2020)
01/13/2020	<u>8</u>	Memorandum in Opposition to Plaintiffs' Motion For Preliminary Injunction filed by Intelsat US LLC. (Farrell, Jeremy) (Entered: 01/13/2020)
01/13/2020	<u>9</u>	Notice of Appearance of Counsel filed by Skycasters, LLC, VSAT Systems, LLC. (Johnson, Kyle) (Entered: 01/13/2020)
01/14/2020	<u>10</u>	Motion for attorney Michael A. Shiner to Appear Pro Hac Vice. Filing fee \$ 120, receipt number 0647-9724726, filed by Defendant Intelsat US LLC. (Attachments: # <u>1</u> Exhibit A – Affidavit, # <u>2</u> Proposed Order)(Farrell, Jeremy) (Entered: 01/14/2020)
01/15/2020	<u>11</u>	Consent to Exercise of Jurisdiction by a United States Magistrate Judge filed by All Plaintiffs. (Johnson, Kyle) (Entered: 01/15/2020)
01/16/2020	<u>1</u>	Order [non-document]granting Motion for appearance pro hac vice by attorney Michael A. Shiner for Intelsat US LLC. Local Rule 5.1(c) requires that attorneys register for CM/ECF and file and receive all documents electronically. The CM/ECF registration form can be found at www.ohnd.uscourts.gov under Forms. If you were previously granted pro hac vice status and are already registered to file electronically, it is not necessary to register again. (Related Doc # <u>10</u>). Judge Sara Lioi on 1/16/2020.(D,N) (Entered: 01/16/2020)
01/17/2020	<u>12</u>	Consent of the parties to this case being transferred to the docket of Magistrate Judge Kathleen B. Burke for further proceedings. Related Document <u>11</u> . Judge Sara Lioi on 1/17/2020. (D,N) (Entered: 01/17/2020)
01/17/2020	<u>1</u>	Magistrate Judge Kathleen B. Burke assigned to case, pursuant to consent. Judge Sara Lioi terminated. Related document(s) <u>12</u> . (T,Je) (Entered: 01/17/2020)
01/20/2020	<u>13</u>	Motion for Fourteen Day Extension until 2/5/2020 of Plaintiffs' Temporary Restraining Order and/or Emergency Hearing filed by Skycasters, LLC, VSAT Systems, LLC. (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Proposed Order)(Johnson, Kyle) (Entered: 01/20/2020)
01/21/2020	<u>14</u>	Memorandum and Opposition to <u>13</u> Motion for fourteen day extension of Plaintiffs' Temporary Restraining Order <i>and/or Emergency Hearing</i> filed by Intelsat US LLC. (Farrell, Jeremy) (Entered: 01/21/2020)
01/21/2020	<u>15</u>	Motion to dismiss <i>Complaint</i> filed by Defendant Intelsat US LLC. (Attachments: # <u>1</u> Proposed Order)(Farrell, Jeremy) (Entered: 01/21/2020)
01/21/2020	<u>16</u>	Memorandum in Support of Motion to Dismiss Complaint filed by Intelsat US LLC. Related document(s) <u>15</u> . (Farrell, Jeremy) (Entered: 01/21/2020)
01/21/2020	<u>17</u>	Corporate Disclosure Statement identifying Corporate Parent Intelsat S.A., Corporate Parent Intelsat Investment Holdings S.a r.l, Corporate Parent Intelsat Holdings S.A., Corporate Parent Intelsat Investments S.A., Corporate Parent Intelsat (Luxembourg) S.A., Corporate Parent Intelsat Envision Holdings LLC, Corporate Parent Intelsat Connect Finance S.A., Corporate Parent Intelsat Jackson Holdings S.A., Corporate Parent Intelsat Genesis Inc., Corporate Parent Intelsat Genesis GP LLC, Corporate Parent Intelsat Alliance LP, Corporate Parent Intelsat US Finance LLC, Other Affiliate Intelsat Clearinghouse LLC, Other Affiliate PanAmSat International Holdings LLC, Other Affiliate Mountainside Teleport LLC, Other Affiliate Intelsat General Communications LLC, Other Affiliate Intelsat Horizons-3 LLC, Other Affiliate Intelsat Canada ULC, Other Affiliate Horizons Satellite Holdings LLC, Other Affiliate PanAmSat Sistemas de Comunicacao DTH do Brasil Ltda., Other

Affiliate Intelsat International Systems LLC, Other Affiliate Horizons–3 License LLC, Other Affiliate Horizon–3 Satellite LLC, Other Affiliate Horizons–1 Satellite LLC, Other Affiliate Horizons–2 Satellite LLC, Other Affiliate Intelsat Asia Carrier Services LLC, Other Affiliate PanAmSat International Sales LLC, Other Affiliate Intelsat International Employment LLC, Other Affiliate Southern Satellite LLC, Other Affiliate Intelsat Asia Pty. Ltd., Other Affiliate PanAmSat India LLC, Other Affiliate Intelsat Asia (Hong Kong) Limited, Other Affiliate Intelsat Service and Equipment LLC, Other Affiliate Southern Satellite Licensee LLC, Other Affiliate WP COM S de RL de CV, Other Affiliate Intelsat India Private Limited, Other Affiliate PanAmSat de Mexico S de RL de CV, Other Affiliate PanAmSat India Marketing LLC for Intelsat US LLC filed by Intelsat US LLC. (Farrell, Jeremy) (Entered: 01/21/2020)

01/21/2020	<u>18</u>	Order. By consent of the parties, this case was assigned to the undersigned on January 17, 2020. As a preliminary matter, the Court needs to determine whether subject matter jurisdiction exists. Both Plaintiffs and the Defendant are LLCs. Accordingly, by the close of business today, the parties shall file statements setting forth the citizenship of each of their members. If a member is an LLC, the parties shall set forth the citizenship of that LLC. Magistrate Judge Kathleen B. Burke on 1/21/20. (S,HR) (Entered: 01/21/2020)
01/21/2020	<u>19</u>	Statement of Citizenship filed by All Plaintiffs. (Congeni, Christopher) (Entered: 01/21/2020)
01/21/2020	<u>20</u>	Corporate Disclosure Statement identifying Corporate Parent Satventures Holdings, LLC for VSAT Systems, LLC filed by VSAT Systems, LLC. (Congeni, Christopher) (Entered: 01/21/2020)
01/21/2020	<u>21</u>	Corporate Disclosure Statement identifying Corporate Parent Satventures Holdings, LLC for Skycasters, LLC filed by Skycasters, LLC. (Congeni, Christopher) (Entered: 01/21/2020)
01/21/2020	<u>22</u>	Order. A telephonic status conference is scheduled with counsel for January 22, 2020, at 1:00 p.m. Plaintiffs' counsel shall initiate the conference. Once counsel for all parties are on the line, counsel shall contact Chambers at 330–252–6170. No later than 11:00 a.m. on January 22, 2020, the parties shall meet and confer in person or via telephone to (1) agree upon terms for maintenance of the status quo pending a hearing on the motion for preliminary injunction, including payments and/or security to be provided; (2) agree upon two or three dates within the next two weeks for a hearing on the motion for preliminary injunction. Party representatives with full settlement authority are required to be present at the hearing on the motion for preliminary injunction. No later than noon on January 22, 2020, counsel shall file a joint status report advising the Court as to the parties' agreement regarding maintenance of the status quo pending a hearing on the motion for preliminary injunction and the parties' mutually agreed upon proposed dates for a preliminary injunction hearing. The status report shall not exceed two double–spaced pages and shall be signed by counsel for all parties. Magistrate Judge Kathleen B. Burke on 1/21/20. (S,HR) (Entered: 01/21/2020)
01/21/2020	<u>23</u>	Motion for attorney Christopher W.. Cahillane to Appear Pro Hac Vice. Filing fee \$ 120, receipt number 0647–9736059, filed by Defendant Intelsat US LLC. (Attachments: # <u>1</u> Affidavit Christopher W. Cahillane, # <u>2</u> Proposed Order)(Farrell, Jeremy) (Entered: 01/21/2020)
01/21/2020	<u>24</u>	Order. Plaintiffs' Statement of Citizenship (Doc. <u>19</u>) is deficient. Plaintiffs shall file a supplement to their Statement of Citizenship that sets forth the members of the plaintiff LLCs and the citizenship of those members and any "sub–members." If Satventures Holdings, LLC is a member of the plaintiff LLCs, Plaintiffs need to set forth the citizenship of each of the members and any "sub–members" of Satventures Holdings, LLC. Plaintiffs are instructed to read <i>Delay, 585 F.3d 1003</i> , prior to filing their supplement. Magistrate Judge Kathleen B. Burke on 1/21/20. (S,HR) (Entered: 01/21/2020)
01/21/2020	<u>25</u>	Attorney Appearance <i>as Co–Counsel</i> by Justin M. Lovdahl filed by on behalf of All Plaintiffs. (Lovdahl, Justin) (Entered: 01/21/2020)
01/21/2020	<u>26</u>	Memorandum in Opposition to <u>4</u> Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(A) filed by All Plaintiffs. (Lovdahl, Justin) (Entered: 01/21/2020)

01/21/2020	<u>I 27</u>	Supplemental Statement of Citizenship, filed by All Plaintiffs. Related document(s) <u>19</u> . (Lovdahl, Justin) (Entered: 01/21/2020)
01/21/2020	<u>I 28</u>	Statement of Citizenship filed by Intelsat US LLC. (Farrell, Jeremy) (Entered: 01/21/2020)
01/22/2020	<u>I</u>	Order [non-document] granting Motion for appearance pro hac vice by attorney Christopher W. Cahillane for Intelsat US LLC. Local Rule 5.1(c) requires that attorneys register for CM/ECF and file and receive all documents electronically. The CM/ECF registration form can be found at www.ohnd.uscourts.gov under Forms. If you were previously granted pro hac vice status and are already registered to file electronically, it is not necessary to register again. (Related Doc # <u>23</u>). Magistrate Judge Kathleen B. Burke on 1/22/20.(S,HR) (Entered: 01/22/2020)
01/22/2020	<u>I 29</u>	Joint Status Report filed by All Plaintiffs. (Johnson, Kyle) (Entered: 01/22/2020)
01/23/2020	<u>I 30</u>	Minute Order of Telephone Conference held on 1/22/20. Defendant's <u>6</u> Motion to Declare TRO Dissolved, and Plaintiff's <u>13</u> Motion for Extension of TRO are denied as moot. <i>See Order for details.</i> A preliminary injunction hearing is scheduled for 2/4/2020, at 10:00 a.m. A separate order setting forth due dates for exhibits and witness lists will be separately filed. Attorneys are cautioned not to rely on the docket entry only. Read the attached Order for additional information and requirements. Magistrate Judge Kathleen B. Burke on 1/23/20. Time: 30 minutes(S,HR) (Entered: 01/23/2020)
01/23/2020	<u>I 31</u>	Order regarding preliminary injunction hearing. <i>See Order for details.</i> Magistrate Judge Kathleen B. Burke on 1/23/20. (S,HR) (Entered: 01/23/2020)
01/24/2020	<u>I 32</u>	Supplemental Statement Regarding Defendant Entities filed by Intelsat US LLC. (Attachments: # <u>1</u> Exhibit A – Certificate of Merger, # <u>2</u> Exhibit B – Certificate of Merger, # <u>3</u> Exhibit C – Notice of Assignment)(Cahillane, Christopher) (Entered: 01/24/2020)
01/24/2020	<u>I 33</u>	Reply memorandum in support of <u>4</u> Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(A) filed by Intelsat US LLC. (Farrell, Jeremy) (Entered: 01/24/2020)
01/28/2020	<u>I 34</u>	Memorandum Opinion and Order granting Defendant's motion to transfer venue to the United States District Court for the Southern District of New York (Doc. <u>4</u>). Magistrate Judge Kathleen B. Burke on 1/28/20. (S,HR) (Entered: 01/28/2020)
01/28/2020	<u>I</u>	Order [non-document]. In light of the Memorandum Opinion and Order Transferring Venue (Doc. <u>34</u>), the preliminary injunction hearing scheduled in this Court on 2/4/2020, is hereby cancelled. Magistrate Judge Kathleen B. Burke on 1/28/20. (S,HR) (Entered: 01/28/2020)